

# EXHIBIT 1

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

ANDREW CUOMO,

Movant,

v.

NEW YORK STATE ATTORNEY  
GENERAL,

Respondent.

\* \* \* \* \*

Case No. 22-MC-03044 (LDH)

Brooklyn, New York  
April 19, 2024

TRANSCRIPT OF CIVIL CAUSE FOR STATUS CONFERENCE AND  
ORAL ARGUMENT  
BEFORE THE HONORABLE TARYN A. MERKL  
UNITED STATES MAGISTRATE JUDGE

APPEARANCES:

For the Movant:

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APPEARANCES: (Cont'd)

For the Non-Party Respondent, ANDREW STUART AMER, ESQ.  
NY State Attorney General: SERENA MABEL LONGLEY, ESQ.  
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1 we'll move on and refile and do cross-motion to quash. Maybe  
2 that's the best way to handle it, because they've essentially  
3 -- you've already denied the motion to compel on the larger  
4 universe of material, and so now we're dealing with a narrower  
5 universe.

6 I would say if it would be helpful to the Court --

7 MS. GLAVIN: Actually, can we just confer for a  
8 second? I have an idea.

9 THE COURT: Okay.

10 MS. GLAVIN: Why don't you and I talk for a second?

11 (Counsel confer)

12 MS. GLAVIN: All right, Judge. So here's what I  
13 proposed to the AG's office, is that we reissue a subpoena  
14 that is the narrower category so we all know what we're  
15 dealing with, okay? And then they -- AGs would move to quash,  
16 citing the privileges, given that this is going to be focused  
17 on privilege, and then we would do the motion to compel,  
18 cross-motion to compel. So they would go for -- you guys  
19 would move to quash, we would oppose --

20 MR. AMER: I just don't think the motion to quash is  
21 limited to just privilege issues.

22 THE COURT: No, I think it includes sovereign  
23 immunity.

24 MS. GLAVIN: So do we want to -- that's what -- the  
25 question. We can brief --

1 THE COURT: And I apologize. I keep eating cough  
2 drops. I have this weird throat thing going on. Last night I  
3 couldn't talk at all. I was like, am I going to be able to  
4 talk by the morning?

5 MS. GLAVIN: Yeah. Yeah, so I -- we can reissue the  
6 subpoena, I think probably within a few days.

7 THE COURT: Okay.

8 MS. GLAVIN: I can get that done. And then, when do  
9 you guys want to file?

10 THE COURT: So today's April 19th, Friday.

11 MS. GLAVIN: Keeping in mind when Passover is, but  
12 --

13 THE COURT: Passover is all next week.

14 MS. GLAVIN: -- it will probably take a few weeks.

15 MR. AMER: Should we propose a scheduling order?

16 THE COURT: Sure.

17 MR. AMER: Then we could then look at calendars and  
18 not have to --

19 THE COURT: Yeah, that would be fine.

20 MR. AMER: -- do it here.

21 THE COURT: If you want to submit a proposed  
22 scheduling order. I don't know who's observing and who's  
23 going to be out Monday, Tuesday, those first two nights. You  
24 want to submit something like Wednesday or Thursday? That's  
25 fine with me.

1 MR. AMER: Well, when are you going to have the  
2 reissued subpoena?

3 MS. GLAVIN: We'll be able to do it in a few -- it  
4 will be next week.

5 MR. AMER: Okay.

6 MS. GLAVIN: Do you want to confer and then we  
7 propose?

8 MR. AMER: That's what I'm suggesting.

9 MS. GLAVIN: Yeah.

10 THE COURT: Yeah. Maybe by next Friday? If the  
11 subpoenas could be issued by Wednesday or Thursday, maybe, you  
12 could --

13 MS. GLAVIN: That's fine.

14 THE COURT: -- confer in the interim.

15 MR. AMER: Submit the scheduling order by next  
16 Friday.

17 THE COURT: Submit the scheduling order by next  
18 Friday. Does that work?

19 MS. LONGLEY: I'm going to be out through Tuesday,  
20 but I can try to -- for this limited purpose, confer --

21 MR. AMER: Yeah, it's just -- it's just --

22 MS. LONGLEY: Yeah.

23 MR. AMER: -- looking at calendars.

24 THE COURT: You're out through Tuesday the 20th or  
25 the 30th?